IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 29301 of 1998

Between:

1 K.Omprakash, S/o. K.Anjaneyulu,
R/o. Dilsukhnagar, Hyderabad.
2 K.Mohan Cheiyan, S/o. K.C.Chirian,
R/o. 16-9-59/6/7, Malkpet,
Hyderabad.
3 Mohd. Rustum Ali, S/o. Lal Mohammad,
R/o. 1-2-705/29/A, Begumpet,
Hyderabad.
4 N.Krishna Reddy, S/o. N.Chelma Reddy,
R/o. 6-1-96/5, Waltar Town,
Secunderabad.

..... PETITIONERS

AND

1 The Secretary, R.T.A., Hyderabad ,
East Zone, Hyderabad.
2 The Secretary, R.T.A., Hyderabad
Central Zone, Hyderabad.
3 The Secretary, R.T.A.,
Secunderabad Zone.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or Mandamus or any other Writ, Order or direction , declaring the action of the respondents in insisting the gross vehicle weight of the vehicles of the petitioners bearing Reg.Nos.ADT 9358, AP- 11-U-4296, AP - 09- U- 6146 and AAT 1552 , as 15,240 Kgs. as illegal, contrary to law and further hold that the said vehicles are entitled to be assigned a gross vehicle weight of 16, 200 Kgs. is in

accordance with Sec. 58(4) and consequently direct the respondents herein to enter the gross vehicle Weight of 16, 200Kgs. in the registration certificate of the Vehicles.

Counsel for the Petitioner: MR.MD.KAREEMUDDIN

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following:

ORDER:

This writ petition is filed seeking a writ of Mandamus to declare the action of the respondent-Secretary, Regional Transport Authority, insisting the Gross Vehicle weight of the vehicles of the petitioners as 15,240 kgs, as illegal and arbitrary and further, to hold that the petitioners are entitled to carry the said weight in his goods vehicles.

When the matter is taken up for hearing, it is submitted by the learned counsel appearing for the petitioners and conceded by the learned Government Pleader for Transport appearing for the respondent that the issue involved in this writ petition is squarely covered by the judgment of the Apex Court in **N.Venkateswara Rao Vs. S.T.A.**, wherein the Apex Court has elaborately discussed the matter and dismissed the writ appeals and W.P.No.6211 of 1990 and batch.

Accordingly, following the said judgment of the Apex Court, this writ petition is also dismissed for the same reasons. No order as to costs.

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08.04.2005

dr/tvk

To

1 The Secretary, R.T.A., Hyderabad ,
East Zone, Hyderabad.
2 The Secretary, R.T.A., Hyderabad

Central Zone, Hyderabad.

3 The Secretary, R.T.A.,
Secunderabad Zone, Secunderabad.

4 2 CCs to Government Pleader for Transport,

High Court Buildings, Hyderabad. (OUT)

5 2 CD copies

*Form-NIC-OGS/WP{**MN**}*